

# What is an OHCA?

## *Data Sharing Issues in Integrated Delivery Systems*

---

**LEARNING COLLABORATIVE**

**AUGUST 30, 2016**

**RANDY FLOYD**

GENERAL COUNSEL, COMMUNITY CARE COLLABORATIVE

**BETH DEVERY**

GENERAL COUNSEL, CENTRAL HEALTH

DIRECTOR, HEALTH CARE SERVICES, TRAVIS COUNTY ATTORNEY'S OFFICE



Community Care  
COLLABORATIVE

# Disclaimer



*The purpose of this communication is to provide general information that is of a legal nature. It does not contain a full analysis of the law nor does it constitute an opinion of Central Health, the Travis County Attorney's Office or the Community Care Collaborative on points of law presented.*

# Agenda



- What is an OHCA?
- OHCA advantages
- Common hurdles
- Developing an OHCA
- Risks

# What is the CCC?



- A non-profit corporation created by Central Health, the hospital district in Travis County, and Seton Healthcare Family
- Provides care to the covered population in Travis County
- Works with:
  - Dell Medical School at The University of Texas
  - Seton Healthcare Family
  - Austin Travis County Integral Care
  - Local federally qualified health centers
  - Other providers

# What is the Goal of the CCC?



Develop an integrated delivery system (IDS) for patient care in Travis County for the covered population

- Coordinate health care services across a spectrum of primary care, specialty, hospital and social service providers
- Improve health outcomes
- Serve as a model for high-quality, cost effective and person-centered care

# What is an OHCA?



## OHCA stands for:

- Organized
- Health
- Care
- Arrangement

# Covered Population



- Who is included?
- Whose information can be shared?
- Shared notice of Privacy Practices?

# 45 C.F.R. §160.103



## OHCA for the CCC:

- Organized system of health care for more than one covered entity
- Entities hold themselves out as participating in joint activities
- Entities participate in joint activities like: utilization review, quality assessment and improvement, payment activities



# Public Disclosure



The CCC and the participants hold themselves out to the public as participating in a joint arrangement to perform some or all of the following joint activities:

- Utilization Review
- Quality Assessment and Improvement
- Payment activities

# OHCA Goals



- Improve quality of care
- Create a Longitudinal Patient Record for use at the point of care
- Population management and utilization
- State, national and regional health reporting including Delivery System Reform Improvement Project milestones
- Financial analysis
- Predictive analytics and clinical decision making

# Operationalizing



- Information Management
- IT Compatibility
- Insurance

# Information Management



- Data Warehouse
- Point of Care Record (Longitudinal Patient Record)
- CCC Data Set

# IT Compatibility



- Can take different forms, depending on participants
- Can require interfaces between providers' EHR platforms

# Insurance



- Requiring it of your organization
- Requiring it of the participants
- Growing area of cyber/network security/privacy liability

# Core Documents



- Participation Agreement
- Policies and Procedures
- Notice of Privacy Practices
- Cyber liability coverage

# Core Structure



- Policies and Procedures
- Participation Agreement
  - Purposes
  - Definition of the Data Set
  - How to change process
  - Language used in the NPP
- Plumbers of Choice





# OHCA Advantages

---

- Improved quality of care
- Efficiencies
- Greater Continuity of Care
- Population Health Management
- Common Data Set
- Sharing of clinical data for patient care

# Sharing of Clinical Data

---



Allows providers to access clinical data to provide more appropriate, efficient, and better quality of care

# Sharing of Clinical Data



- Disparate providers can share standardized data sets
- Avoids redundant test results
- Visibility in the system of care
- Patient Navigation
- Care Coordination

# Efficiencies



- Clarity of relationships – replaces multiple Business Associate Agreements
- No authorizations (except as legally necessary)
- Holding out to the public as an OHCA
- Notice of privacy practices

# OHCA Challenges



## Participant Buy-In

- Disparate members
- Different data policies
- Different business plans
- Different populations
- Different coverages

# OHCA Challenges



- Different payers
- Complex and novel conception of sharing data
- Potential up-front infrastructure costs
- Control
- Agreement on a covered population

# OHCA Challenges

---



## Longitudinal Patient Record

- Not always an easy adoption process
- Not always used for intended purposes
- Providing the right level of access

# Future Expansion – New Participants

---



- Smaller providers in the system
- Non-medical providers
- Sensitive PHI



# Questions

---

**DISCLAIMER:** THE PURPOSE OF THIS COMMUNICATION IS TO PROVIDE GENERAL INFORMATION THAT'S OF A LEGAL NATURE. IT DOES NOT CONTAIN A FULL ANALYSIS OF THE LAW NOR DOES IT CONSTITUTE AN OPINION OF TRAVIS COUNTY ATTORNEY'S OFFICE OR THE COMMUNITY CARE COLLABORATIVE ON POINTS OF LAW PRESENTED.

